

LAZER, APTHEKER, ROSELLA & YEDID, P.C.

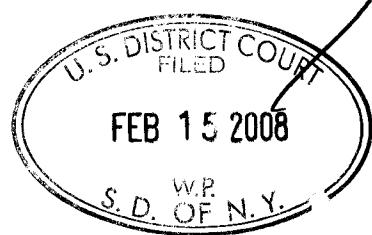
ATTORNEYS AT LAW

MELVILLE LAW CENTER
225 OLD COUNTRY ROAD
MELVILLE, NEW YORK 11747-2712
www.larypc.com

TELEPHONE (631) 761-0800
FACSIMILE (631) 761-0013
E-MAIL ADDRESS: lazer@larypc.com

MEMO ENDORSED

February 15, 2008



Via Facsimile
914-390-4135

The Honorable Lisa M. Smith
United States Courthouse
300 Quarropas Street
White Plains, New York

Re: Carpenter, et al. v Pupke, et al., Civil Action No. 07-civ-5689

Your Honor:

We are counsel to defendants/counterclaim-plaintiffs/third-party plaintiffs Marie Pupke and Eiffel Investment Group and Associates, LLC in connection with the above referenced action. Most regrettably, this firm is compelled to immediately file a motion for leave to withdraw as defendants' counsel. This most difficult decision is based on the hostile manner in which defendants interact with the attorneys of this firm; their continuing refusal to cooperate in the preparation of this case in the manner in which this firm believes, in its professional judgment, to be in their best interests; and their failure to pay the sums that are due this firm for its representation in this matter.

To provide defendants with adequate time to retain new counsel, we respectfully request that all discovery deadlines in the existing scheduling order be adjourned, effective immediately, for a period of thirty (30) days, or such other time as the Court may find appropriate. Mr. Bauer, counsel for plaintiffs/counterclaim-defendants and third-party defendants, consents to the immediate temporary adjournment of all impending discovery deadlines.

Additionally, because we wish to avoid disclosing more than is absolutely essential to our withdrawal motion respecting our difficulties with our clients, we request permission to serve plaintiffs/counterclaim-defendants' and third-party defendants' counsel with a copy of the accompanying notice of motion only. We respectfully request that the subject motion be sealed and the information imparted herein not be made public. Mr. Bauer has provided his consent to this request as well.

Respectfully Submitted,


DAVID LAZER

DL:dlg